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Cooley Godward Kronish, LLP  
Attn: Patent Group  
Suite 1100  
777 – 6<sup>th</sup> Street, NW  
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OFFICE OF PETITIONS

In re Application of	:	
Simon John Knee et al.	:	
Application No. 10/649,364	:	ON PETITION
Filed: August 26, 2003	:	
Attorney Docket No. ASTU-003/01US	:	
017622-2013	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed March 16, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a proper reply within the meaning of 37 CFR 1.113 to the final Office action of July 21, 2008. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(II)(A)(2). A two month extension of time was obtained. Accordingly, the date of abandonment of this application is December 22, 2008. A Notice of Abandonment was mailed on March 13, 2009. Replies were received on August 25, 2008, October 7, 2008 and December 2, 2008 but were not proper since it did put the application in condition for allowance.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a RCE (Request for Continued Examination), with the required fee of \$405, (2) the petition fee of \$810, and (3) a proper statement of unintentional delay. Accordingly, the RCE is accepted as being unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

This application is being referred to Technology Center AU 2443 for processing of the RCE and any action that is required by the Examiner in the normal course of business.

A handwritten signature in black ink, appearing to read 'Carl Friedman', with a long horizontal flourish extending to the right.

Carl Friedman  
Petitions Examiner  
Office of Petitions